



# **County of Los Angeles COMMUNITY AND SENIOR SERVICES**

## **REQUEST FOR PROPOSALS (RFP) FAMILY CAREGIVER SUPPORT PROGRAM (FCSP) SERVICES**

**RFP No.: AAA-FCSP-1317**

**OCTOBER 2012**

PREPARED BY:  
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Available on the Internet at:  
[www.css.lacounty.gov](http://www.css.lacounty.gov)  
"Doing Business with CSS"



**REQUEST FOR PROPOSALS (RFP)  
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## 1.0 INTRODUCTION

### 1.1 Purpose

The Los Angeles County Community and Senior Services (CSS) is issuing this Request for Proposals (RFP) to solicit proposals from local public/government entities and private non-profit organizations to operate the Older Americans Act (OAA) of 1965 (Amended in 2006) National Family Caregiver Support Program (NFCSP) (commonly referred to as "Family Caregiver Support Program (FCSP)") services (hereafter "Services") in accordance with all applicable federal, state, and local laws, regulations and guidance.

**1.1.1 FCSP Services:** The FCSP will consist of four (4) primary Services as outlined below:

**1.1.1.1 Information Services:** Provides FCSP Services that are intended to provide information and education on caregiving including information on available Services to Adults (eighteen (18) years of age or older).

**1.1.1.2 Support Services:** Provides FCSP Services that are intended to provide assessments, counseling, support groups, training, and case management Services to Caregivers.

**1.1.1.3 Respite Care Services:** Provides FCSP Services that are intended to provide a temporary period of relief or rest from caregiving duties.

**1.1.1.4 Supplemental Services:** Provides FCSP Services offered on a limited basis to support, strengthen, and complement caregiving efforts.

**1.1.2 Eligibility Criteria** (See Appendix B (Statement of Work) Paragraph 2.0 - Eligibility Criteria) for additional information regarding eligibility:

**1.1.2.1** Within the FCSP are two (2) eligible Client categories. As defined in Title III, Part E, Subpart 1, Sections 302(3) and 372(b) of the OAA, individuals are eligible to be Clients and receive FCSP Services when they meet either of the following criteria:

**1.1.2.1.1 Family Caregiver:** According to Section 302(3) of the OAA, and as defined in Appendix A (Sample Contract) Exhibit J – Definitions, a Family Caregiver is defined as an adult family member (18 years of age and older); or another individual, who is an informal provider of in-home and community care that provides care to either an Older Individual (see Appendix A (Sample Contract) Exhibit J – Definitions); OR

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an individual of any age with Alzheimer's disease or a related disorder with neurological and Organic Brain Dysfunction (see Appendix A (Sample Contract) Exhibit J - Definitions).

1.1.2.1.2 **A Grandparent/Relative Caregiver:** According to Section 372(a)(2) of the OAA, and as defined in Appendix A (Sample Contract) Exhibit J – Definitions, a Grandparent or Relative Caregiver is defined as an adult 55 years of age or older and a grandparent, step-grandparent, relative by blood, marriage, or adoption to a Child (see Appendix A (Sample Contract) Exhibit J – Definitions); is not the parent of the Child; is the Primary Caregiver (see Appendix A (Sample Contract) Exhibit J - Definitions) of the Child because the biological or adoptive parents are unable or unwilling to serve as the caregiver of the Child; and has a legal relationship to the Child, such as legal custody or guardianship, or is raising the Child informally.

1.1.3 **Authority:** Proposer's Proposal and any resulting agreement which may result will be required to meet all of the applicable provisions and criteria in: OAA, Title III, Part E, Sections 371 – 374 (42 U.S.C. Section 3030s-1), California Department of Aging Program Memoranda; CSS Program Memoranda/Directives and Standard Operating Procedures.

1.1.4 **About the Los Angeles County Area Agency on Aging:** CSS is a locally-designated Area Agency on Aging (AAA) by the CDA Planning and Services Area (PSA) is designated by the CDA as PSA 19 and includes Los Angeles County (County) excluding the City of Los Angeles (which is designated as its own AAA, PSA 25).

Established in 1975, the Los Angeles County AAA is responsible for identifying unmet needs of Older Adults and functionally-impaired adults as well as planning, coordinating and implementing programs that promote the health, dignity and well-being of Older Adults residing in Los Angeles County. The mission of Los Angeles County AAA is to stimulate progress towards the creation of home and community-based long-term care system that maximizes consumer independence and dignity and is responsive and accessible to Los Angeles County's diverse population of Older Adults and functionally-impaired adults, as well as their families.

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1.1.5 **Funding Availability:** For the expected four (4) year term of the anticipated contract, 2013 – 2017, County anticipates maximum Fiscal Year (FY) funding for the entire FCSP Program will be approximately \$1,487,114 (in which \$1,338,402 is designated for Family Caregiver Client Services, and \$148,712 is designated for Grandparent/Relative Caregiver Client Services).

1.1.5.1 Proposers shall be aware that funding for this Program is contingent upon the availability of federal, state and local funds, and contracts may be recommended for additional or reduced funding than the amounts proposed. It is the intent of County to have the Proposal submitted made a part of the resulting contract should the Proposal be recommended for funding. County may negotiate a modification of any contract that may be awarded after the Proposal has been selected to ensure that all necessary Program requirements are met. Upon modification by County of the precise award levels, Proposer may opt not to enter into a contract with County if they believe they cannot achieve the objectives of their proposed program at an increased or reduced amount.

1.1.5.2 **Program Goals and Funding Requested by Proposer:** Successful Proposers will be required to deliver each of the Service requirements described in Appendix A (Sample Contract) Exhibit A (Statement of Work), as well as in Appendix B (Statement of Work), as well as in Appendix A (Sample Contract) and Performance Requirements Summary (PRS) Chart (Exhibit S to the Sample Contract). Services that do not meet the standards listed will not be funded. For the purposes of this RFP, Proposers are required to establish a proposed Unit Rate (defined in Statement of Work Sub-paragraphs 3.0 (Specific Tasks)) for the required Unit of Measurement (defined in Statement of Work Sub-paragraph 3.0 (Specific Tasks)).

If Proposer is awarded a contract, County will utilize the proposed Unit Rate provided in the Proposer's Proposal to establish the contract fixed rate upon which all payments will be based. The proposed Unit Rate shall not exceed the maximum reimbursement rates specified in Appendix A (Sample Contract) Exhibit A (Statement of Work) and in Appendix B (Statement of Work). Proposers proposing Unit Rates in excess of the maximum reimbursement rates shall be deemed non-responsive and not considered further.

1.1.5.3 **Funding Allocation Plan:** The available funding will be allocated to the five (5) Supervisorial Districts (SD) based on a funding formula adopted and approved by the Los Angeles County Board of Supervisors (Board of Supervisors).

1.1.5.3.1 Based on the 2010 Census, there are an estimated 1,534,805 seniors living within Los Angeles County. Chart 1.1.6, FCSP Estimated Annual Funding/Units of Service, below, allocates the total proposed FCSP funding available in each SD. The expected number of Units of Service (see Appendix A (Sample Contract) Exhibit J – Definitions) and all funding amounts are estimates only.

1.1.5.3.2 County reserves the right, at its sole discretion, to adjust the funding among the five (5) SDs, as needed, based on County's needs and availability of funding.

### 1.1.6 FCSP Estimated Annual Funding/Units of Service for FY 2013-2014

Supervisory District		FAMILY CAREGIVER (90%)									
S/D #	Distr'n %	Info Svcs Estimated Units	Info. Svcs. Funding	Support Svcs Estimated Units	Support Svcs Funding	Respite Care Estimated Units	Respite Care Funding	Suppl. Svcs. Estimated Units	Suppl. Svcs Funding	Subtotal Estimated Units	Subtotal Funding
1	25.9%	6,924	\$69,241	2,693	\$121,172	3,462	\$86,552	6,924	\$69,241	20,003	\$ 346,206
2	5.8%	1,548	\$15,484	6,021	\$27,096	7,742	\$19,354	1,548	\$15,484	16,859	\$ 77,418
3	4.2%	1,121	\$11,212	4,360	\$19,622	5,606	\$14,015	1,121	\$11,212	12,208	\$ 56,061
4	29.8%	7,976	\$79,756	3,102	\$139,573	3,988	\$99,695	7,976	\$79,756	23,042	\$ 398,780
5	34.4%	9,199	\$91,987	3,577	\$160,978	4,599	\$114,985	9,199	\$91,987	49,616	\$ 459,937
Total	100%	26,768	\$267,680	19,753	\$468,441	25,397	\$334,601	26,768	\$267,680	121,728	\$1,338,402

Note: The expected number of Units of Service and all funding amounts listed here are estimates only.

Supervisory District		GRANDPARENT/RELATIVE CAREGIVER (10%)									
S/D #	Distr'n %	Info Svcs Estimated Units	Info. Svcs. Funding	Support Svcs Estimated Units	Support Svcs Funding	Respite Care Estimated Units	Respite Care Funding	Suppl. Svcs. Estimated Units	Suppl. Svcs Funding	Subtotal Estimated Units	Subtotal Funding
1	25.9%	769	\$7,693	300	\$13,464	385	\$9,617	769	\$7,693	2,223	\$ 38,467
2	5.8%	172	\$1,720	67	\$3,011	86	\$2,151	172	\$1,720	497	\$ 8,602
3	4.2%	125	\$1,246	48	\$2,180	62	\$1,557	125	\$1,246	360	\$ 6,229
4	29.8%	886	\$8,862	345	\$15,508	443	\$11,077	886	\$8,862	2,560	\$ 44,309
5	34.4%	102	\$10,221	397	\$17,887	511	\$12,776	102	\$10,221	1,112	\$ 51,105
Total	100%	2,054	\$29,742	1,157	\$52,050	1,487	\$37,178	2,054	\$29,742	6,752	\$148,712

Note: The expected number of Units of Service and all funding amounts listed here are estimates only.

## 1.2 Overview of Solicitation Document

This Request for Proposals (RFP) is composed of the following parts:

- **INTRODUCTION:** Specifies Proposer's minimum requirements, provides information regarding the requirements of the Contract and the solicitation process.



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- **PROPOSAL SUBMISSION REQUIREMENTS:** Includes instructions to Proposers in how to prepare and submit their Proposal.
  - **SELECTION PROCESS AND EVALUATION CRITERIA:** Includes information on how the Proposals will be selected and evaluated.
  - **APPENDICES:**
    - **A - SAMPLE CONTRACT:** Identifies the terms and conditions in the Contract.
    - **B - STATEMENT OF WORK:** Explains in detail the required Services to be performed by the Contract.
    - **C - STATEMENT OF WORK EXHIBITS:** Exhibits to the Statement of Work.
    - **D - REQUIRED FORMS:** Forms that must be completed and included in the Proposal.
    - **E - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to Department requesting a Solicitation Requirements Review.
    - **F - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS:** County policy.
    - **G - JURY SERVICE ORDINANCE:** County Code.
    - **H - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with County for a specific length of time.
    - **I - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.
    - **J - SAFELY SURRENDERED BABY LAW:** County program.
    - **K - DETERMINATION OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT:** County Code.
    - **L - BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION:** An information sheet intended to assist nonprofit agencies with compliance with SB 1262 - the Nonprofit Integrity Act of 2004 and identify available resources.
    - **M - DEFAULTED PROPERTY TAX REDUCTION PROGRAM:** County Code

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### **1.3 Terms and Definitions**

Throughout this RFP, references are made to certain persons, groups, or Departments/Agencies. For convenience, a description of specific definitions applicable to this RFP and the attached Sample Contract can be found in Appendix A (Sample Contract) Exhibit J - Definitions.

### **1.4 Minimum Mandatory Requirements**

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required Services outlined in Appendix B (Statement of Work), of this RFP are invited to submit Proposal(s), provided they meet the following requirements:

- 1.4.1 Proposer must have a minimum of five (5) years of experience, within the last ten (10) years, providing FCSP Services, or services that are equivalent that are substantially similar to the Services in Appendix B (Statement of Work), in Los Angeles County to eligible Clients;
- 1.4.2 Proposer must be able to provide FCSP Services beginning July 1, 2013 to residents of Los Angeles County, including unincorporated areas of Los Angeles County;
- 1.4.3 Proposer must be a public/government entity or a non-profit organization (for-profit organizations do not qualify for this Program);
- 1.4.4 Proposer shall have, or will have by Contract award, an office location in Los Angeles County;
- 1.4.5 Proposer shall have by Contract award, all the staffing requirements specified in Appendix B (Statement of Work);
- 1.4.6 Proposer must have a cash reserve equal to the amount it would cost to operate the Program for one (1) month. Grant costs may not be included in cash reserves; and
- 1.4.7 Proposers shall demonstrate the ability to match a minimum 25% of its grant amount for the term of the Contract pursuant to the criteria in Appendix B (Statement) Sub-paragraph 6.1 – Matching Share.

### **1.5 County Rights & Responsibilities**

County has the right to amend this RFP by written addendum. County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available on CSS' website listed below. It is recommended that all Proposers check the website periodically for information pertaining to this solicitation and for any posted addenda:

Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the Proposal not being considered, as determined in the sole discretion of County. County is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

#### **1.6 Contract Term**

The Contract term shall be for a period of four (4) years. The Contract shall commence on July 1, 2013, following Board of Supervisors' award.

#### **1.7 Contract Rates**

Proposer's rates shall remain firm and fixed for the term of the Contract. The Contract (hourly, daily, monthly, Unit Rate, etc.) amount may be adjusted annually based on the increase or decrease in the U.S. Department of Labor, Bureau of Labor Statistics' Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County Area for the most recently published percentage change for the twelve (12) month period preceding the Contract anniversary date, which shall be the effective date for any cost of living adjustment.

However, any increase shall not exceed the general salary movement granted to County employees as determined by the Chief Executive Office as of each July 1 for the prior 12 (twelve) month period. Furthermore, should fiscal circumstances ultimately prevent the Board from approving any increase in County employee salaries; no cost of living adjustments will be granted. Where County decides to grant a Cost of Living Adjustment (COLA) pursuant to this Paragraph for living wage contracts, it may, in its sole discretion exclude the cost of labor (including the cost of wages and benefits paid to employees providing Services under this Contract) from the base upon which a COLA is calculated, unless a Contractor can show that his/her labor cost will actually increase.

#### **1.8 Days of Operation**

Proposer shall be required to provide FCSP Services a minimum of five (5) days per week. Proposer shall not be required to provide Services on County recognized holidays. County's Contract Manager will provide a list of County holidays to Proposer at the time the Contract is approved, and annually at the beginning of the calendar year.

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## **1.9 Contact with County Personnel**

All contact regarding this RFP or any matter relating thereto must be in writing and may be mailed or e-mailed as follows:

Carol Domingo, Contract Manager  
Community and Senior Services  
Contracts Management Division  
3175 West 6<sup>th</sup> Street, Room 403  
Los Angeles, CA 90020-1708  
[aaarfp@css.lacounty.gov](mailto:aaarfp@css.lacounty.gov)

If it is discovered that Proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their Proposal from further consideration.

## **1.10 Final Contract Award by the Board of Supervisors**

Notwithstanding a recommendation of a Department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a Proposal and the terms of any resultant agreement, and to determine which Proposal best serves the interests of County. The Board of Supervisors is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

## **1.11 Mandatory Requirement to Register on County's WebVen**

Prior to a contract award, all potential contractors must register in County's WebVen. The WebVen contains the Vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing County's home page at [http://lacounty.info/doing\\_business/main\\_db.htm](http://lacounty.info/doing_business/main_db.htm).

## **1.12 County Option to Reject Proposals**

County may, at its sole discretion, reject any or all Proposals submitted in response to this RFP. County shall not be liable for any costs incurred by Proposer in connection with the preparation and submission of any Proposal. County reserves the right to waive inconsequential disparities in a submitted Proposal.

## **1.13 Protest Policy Review Process**

1.13.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Sub-paragraph 1.13.3 below.

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Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Sub-paragraphs below. It is the responsibility of Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed contract award.

- 1.13.2 Throughout the review process, County has no obligation to delay or otherwise postpone an award of contract based on a Proposer protest. In all cases, reserves the right to make an award when it is determined to be in the best interest of Los Angeles County to do so.

1.13.3 **Grounds for Review**

Unless state or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services Contract provided for under Board Policy No. 5.055 are limited to the following:

- Solicitation Requirements Review (Reference Sub-paragraph 2.4 in the Proposal Submission Requirements Section)
- Disqualification Review (Reference Sub-paragraph 3.3 in the Selection Process and Evaluation Criteria Section)
- Department's Proposed Contractor Selection Review (Reference Sub-paragraph 3.7 in the Selection Process and Evaluation Criteria Section)

**1.14 Notice to Proposers Regarding The Public Records Act**

- 1.14.1 Responses to this solicitation shall become the exclusive property of County. Absent extraordinary circumstances, at such time as (a) with respect to the recommended Proposer's Proposal, County completes contract negotiations and obtains a letter from an authorized officer of the recommended Proposer that the negotiated contract is a firm offer of the recommended Proposer, which shall not be revoked by the recommended Proposer pending the County's completion of the process under Board Policy No. 5.055 and approval by the Board of Supervisors (Board) and (b) with respect to each Proposer requesting a County Review Panel, the County Review Panel convenes as a result of such Proposers' request, and (c) with respect to all other Proposers, County recommends the recommended Proposer(s) to the Board of Supervisors and such recommendation appears on the Board of Supervisors' agenda, Proposals submitted in response to this solicitation become a matter of public record, with the exception of those parts of each Proposal which are justifiably defined as business or trade secrets, and, if by Proposer, plainly marked as "Trade Secret," "Confidential," or "Proprietary."

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- 1.14.2 County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the Proposal as confidential shall not be deemed sufficient notice of exception. Proposers must specifically label only those provisions of their respective Proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

#### **1.15 Indemnification and Insurance**

Proposer shall be required to comply with the indemnification provisions contained in Appendix A (Sample Contract) Sub-paragraph 8.23 - Indemnification.

Proposer shall procure, maintain, and provide to County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix A (Sample Contract) Sub-paragraphs 8.24 – General Provisions For All Insurance Coverage and 8.25 – Insurance Coverage.

#### **1.16 SPARTA Program**

A County program, known as 'SPARTA' (Service Providers, Artisan and Tradesman Activities) may be able to assist potential Contractors in obtaining affordable liability insurance. The SPARTA program is administered by County's insurance broker, Merriwether & Williams. For additional information, Proposers may call Merriwether & Williams toll free at (800) 420-0555 or can access their website directly at [www.2sparta.com](http://www.2sparta.com)

#### **1.17 Injury & Illness Prevention Program (IIPP)**

Proposer shall be required to comply with the State of California's Cal OSHA's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the Program.

#### **1.18 Background and Security Investigations**

- 1.18.1 Background and security investigations of Contractor's staff may be required at the discretion of County as a condition of beginning and continuing work under any resulting Contract. The cost of background checks is the responsibility of Contractor.
- 1.18.2 **Security Awareness Training:** The Security Awareness Training process is mandated by the CDA to enable all CDA affiliates to understand information security responsibilities and the consequences of infractions, and to integrate information security practices into the daily work.

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All successful Proposers must read, complete, and maintain a copy of the certification of completion for each new employee within thirty (30) days of the start date of any Contract or new employee. For more information access the website at: [www.aging.ca.gov](http://www.aging.ca.gov).

### **1.19 Confidentiality and Independent Contractor Status**

As appropriate, Proposer shall be required to comply with the Confidentiality provision contained in Appendix A (Sample Contract) Sub-paragraph 7.5 – Confidentiality and the Independent Contractor Status provision contained in Appendix A (Sample Contract) Sub-paragraph 8.22 – Independent Contractor Status.

### **1.20 Conflict of Interest**

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFP, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix D (Required Forms) Exhibit 5 - Certification of No Conflict of Interest.

### **1.21 Determination of Proposer Responsibility**

- 1.21.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is County's policy to conduct business only with responsible Proposers.
- 1.21.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, County may determine whether Proposer is responsible based on a review of Proposer's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by Proposer against public entities. Labor law violations which are the fault of the subcontractors and of which Proposer had no knowledge shall not be the basis of a determination that Proposer is not responsible.

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- 1.21.3 County may declare a Proposer to be non-responsible for purposes of this Contract if the Board of Supervisors, in its discretion, finds that Proposer has done any of the following: (1) violated a term of a contract with County or a nonprofit corporation created by County; (2) committed an act or omission which negatively reflects on Proposer's quality, fitness or capacity to perform a contract with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against County or any other public entity.
- 1.21.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, County shall notify Proposer in writing of the evidence relating to Proposer's responsibility and its intention to recommend to the Board of Supervisors that Proposer be found not responsible. County shall provide Proposer and/or Proposer's representative with an opportunity to present evidence as to why Proposer should be found to be responsible and to rebut evidence which is the basis for the County's recommendation.
- 1.21.5 If Proposer presents evidence in rebuttal to County, County shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of Proposer shall reside with the Board of Supervisors.
- 1.21.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

## **1.22 Proposer Debarment**

- 1.22.1 Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, County may debar Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and County may terminate any or all of Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that Proposer has done any of the following: (1) violated a term of a contract with County or a nonprofit corporation created by County; (2) committed an act or omission which negatively reflects on Proposer's quality, fitness or capacity to perform a contract with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against County or any other public entity.



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- 1.22.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, County shall notify Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise Proposer of the scheduled date for a debarment hearing before Contractor Hearing Board.
- 1.22.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether Proposer should be debarred, and, if so, the appropriate length of time of the debarment. Proposer and County shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.22.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors.

The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.

- 1.22.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment.

County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of County.

- 1.22.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented.

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This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

- 1.22.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.22.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.
- 1.22.9 Appendix H - Listing of Contractors Debarred in Los Angeles County, provides a link to County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

### **1.23 Proposer's Adherence to County's Child Support Compliance Program**

Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

### **1.24 Gratuities**

#### **1.24.1 Attempt to Secure Favorable Treatment**

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that Proposer's provision of the consideration may secure more favorable treatment for Proposer in the award of the Contract or that Proposer's failure to provide such consideration may negatively affect County's consideration of Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of the Contract.

#### **1.24.2 Proposer Notification to County**

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration.

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The report shall be made either to County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in Proposer's submission being eliminated from consideration.

#### **1.24.3 Form of Improper Consideration**

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

### **1.25 Notice to Proposers Regarding the County Lobbyist Ordinance**

The Board of Supervisors of Los Angeles County has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is **not** on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting Appendix D (Required Forms) Exhibit 6 - Familiarity with the County Lobbyist Ordinance Certification, as part of their Proposal.

### **1.26 Federal Earned Income Credit**

Proposer shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Appendix I - Internal Revenue Service Notice 1015.

### **1.27 Consideration of GAIN/GROW Participants for Employment**

As a threshold requirement for consideration for contract award, Proposers shall demonstrate a proven record of hiring participants in County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening.

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Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for contract award. Proposers shall complete and return the form Appendix D (Required Forms) Exhibit 9 - Attestation of Willingness to Consider GAIN/GROW Participants, along with their Proposal.

#### **1.28 County's Quality Assurance Plan**

After contract award, County or its agent will evaluate Contractor's performance under the contract on a periodic basis. Such evaluation will include assessing Contractor's compliance with all terms in the Contract and performance standards identified in the SOW. Contractor's deficiencies which County determines are severe or continuing and that may jeopardize performance of the Contract will be reported to County's Board of Supervisors. The report will include improvement/corrective action measures taken by County and Contractor. If improvement does not occur consistent with the corrective action measures, County may terminate the Contract in whole or in part, or impose other penalties as specified in the Contract.

#### **1.29 Recycled Bond Paper**

Proposer shall be required to comply with County's policy on recycled bond paper as specified in Appendix A (Sample Contract) Sub-paragraph 8.39 – Recycled Bond Paper.

#### **1.30 Safely Surrendered Baby Law**

Proposer shall be required to notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby.

The fact sheet is set forth in Appendix J – Safely Surrendered Baby Law of this solicitation document and is also available on the Internet at [www.babysafela.org](http://www.babysafela.org) for printing purposes.

#### **1.31 County Policy on Doing Business with Small Business**

1.31.1 County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

1.31.2 The Local Small Business Enterprise Preference Program requires the Company to complete a certification process. This program and how to obtain certification are further explained in Sub-paragraph 1.33 – Local Small Business Enterprise Preference Program of this RFP.

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- 1.31.3 The Jury Service and Living Wage programs, provide exceptions to the programs if a company qualifies as a Small Business. It is important to note that each program has a different definition for Small Business. You may qualify as a Small Business in one (1) program but not the other.  
Further explanations of these two (2) programs are provided in Sub-paragraph 1.32 - Jury Service Program of this RFP.
- 1.31.4 County also has a policy on doing business with small business that is stated in Appendix F – Policy On Doing Business With Small Business.

### **1.32 Jury Service Program**

The prospective contract is subject to the requirements of County's Contractor Employee Jury Service ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Proposers should carefully read Appendix G – Contractor Employee Jury Service, and the pertinent jury service provisions of Appendix A (Sample Contract) Sub-paragraph 8.8 – Compliance With The County's Jury Service Program, both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both Contractors and their Subcontractors. Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.32.1 The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from Contractor, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with Contractor or that Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means forty (40) hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by County, or 2) Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of ninety (90) days or less within a twelve (12) month period are not considered full-time for purposes of the Jury Service Program.
- 1.32.2 There are two (2) ways in which a Contractor might not be subject to the Jury Service Program. The first is if Contractor does not fall within the Jury Service Program's definition of "Contractor".

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The Jury Service Program defines “Contractor” to mean a person, partnership, corporation of other entity which has a contract with County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of fifty-thousand dollars (\$50,000) or more in any twelve (12) month period under one or more County contracts or subcontracts. The second is if Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten (10) or fewer employees; and, 2) annual gross revenues in the preceding twelve (12) months which, if added to the annual amount of this Contract is less than five hundred thousand dollars (\$500,000), and, 3) is not an “affiliate or subsidiary of a business dominant in its field of operation”. The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

- 1.32.3 If a Contractor does not fall within the Jury Service Program’s definition of “Contractor” or if it meets any of the exceptions to the Jury Service Program, then Contractor must so indicate in the Certification Form and Application for Exception Appendix D (Required Forms) Exhibit 10 – Contractor Employee Jury Service Program Certification Form and Application For Exemption, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing Contractor’s application, County will determine, in its sole discretion, whether Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. County’s decision will be final.

### **1.33 Local Small Business Enterprise Preference Program**

- 1.33.1 County will give Local SBE preference during the solicitation process to businesses that meet the definition of a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C.2 of the Los Angeles County Code.
- 1.33.2 A business which is certified as small by the Small Business Administration (SBA) or which is registered as small on the federal Central Contractor Registration data base may qualify to request the Local SBE Preference in a solicitation.
- 1.33.3 Businesses must complete Appendix D (Required Forms) Exhibit 7 - Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form with their Proposal.

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Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain the Local SBE Preference.

#### **1.34 Local Small Business Enterprise (SBE) Prompt Payment Program**

It is the intent of County that Certified Local SBEs receive prompt payment for services they provide to County Departments. Prompt payment is defined as fifteen (15) calendar days after receipt of an undisputed invoice.

#### **1.35 Notification to County of Pending Acquisitions/Mergers by Proposing Company**

Proposer shall notify County of any pending acquisitions/mergers of their company. This information shall be provided by Appendix D (Required Forms) Exhibit 1 - Proposer on Proposer's Organization Questionnaire/Affidavit. Failure of Proposer to provide this information may eliminate its Proposal from any further consideration.

#### **1.36 Transitional Job Opportunities Preference Program**

1.36.1 In evaluating Proposals, County will give preference to businesses that are certified by County as Transitional Job Opportunity vendors, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity vendor is, and has been such for three (3) years, an entity: 1) that is a non-profit organization recognized as tax exempt pursuant to section 501(c)(3) of the Internal Revenue Service Code; set forth, under penalty of perjury, such information as requested by County on either electronic or hard copy forms, along with their application form and three (3) most recent annual tax returns to the Department with their Proposal response to the contracting solicitation for which they are competing; 2) has been in operation for at least one (1) year providing transitional job and the related supportive services to program participants; and 3) provide a profile of their program with a description of their program components designed to assist program participants, number of past program participants, and any other information requested by a contracting Department.

1.36.2 Transitional Job Opportunities vendors must request the preference in their solicitation response and may not receive the preference until their certification has been affirmed by the applicable Department. County must verify the Transitional Job Opportunity vendor certification prior to applying the preference. Sanctions and financial penalties may apply to a Proposer that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities vendor.

1.36.3 To request the Transitional Job Opportunities Preference, Proposer must complete the Appendix D (Required Forms) Exhibit 12 – Transitional Job Opportunities Preference Application and submit it along with all supporting documentation with their Proposal.

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**1.37 Contractor's Obligations as a "Business Associate" Under the Health Insurance Portability and Accountability Act of 1996 and Health Information Technology for Economic and Clinical Health Act**

Contractor shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as in effect and as may be amended, and with applicable provision of the Health Information Technology for Economic and Clinical Health (HITECH) Act, as contained in Appendix A (Sample Contract) Exhibit P – Contractor's Obligation As A "Business Associate" Under The Health Insurance Portability And Accountability Act Of 1996 And The Health Information Technology For Economic And Clinical Health Act (Business Associate Agreement).

**1.38 Proposer's Charitable Contributions Compliance**

1.38.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Proposers should carefully read the Background and Resources: California Charities Regulations (Appendix L). New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over two million (\$2,000,000) of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.

1.38.2 All Proposers must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification (Exhibit 11 in Appendix D - Required Forms). A completed Exhibit 11 is a required part of any agreement with County.

1.38.3 In Exhibit 11, Proposers certify either that:

- They have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement,

- OR -



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- They are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.

1.38.4 Prospective County contractors that do not complete Exhibit 11 as part of the solicitation process may, in County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both. (County Code Chapter 2.202)

### **1.39 Defaulted Property Tax Reduction Program**

The prospective contract is subject to the requirements of County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Proposers should carefully read Appendix M - Defaulted Property Tax Reduction Program and the pertinent provisions of the Appendix A (Sample Contract) Sub-paragraph 8.51 – Warranty Of Compliance With County's Defaulted Property Tax Reduction Program, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.

Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Appendix D (Required Forms) Exhibit 13 - Certification of Compliance with The County's Defaulted Property Tax Reduction Program.

Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).

Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

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## 2.0 PROPOSAL SUBMISSION REQUIREMENTS

This Section contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their Proposal.

### 2.1 County Responsibility

County is not responsible for representations made by any of its officers or employees prior to the execution of the Contract unless such understanding or representation is included in the Contract.

### 2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a Proposal shall be sufficient cause for rejection of the Proposal. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

### 2.3 RFP Timetable

**The timetable for this RFP is as follows:**

- Release of RFP ..... October 26, 2012
- Request for a Solicitation Requirements Review Due ..... November 9, 2012
- Proposer's Conference ..... November 9, 2012 10:00AM – 12:00PM
- Written Questions Due ..... November 9, 2012 4:30 PM
- Questions and Answers Released ..... November 14, 2012
- **Proposals due by (Pacific Standard Time) December 3, 2012 12:00 PM**
- Evaluation Period ..... December 3, 2012 – April 30, 2013
- Tentative Date of Contract Award (Mailed) ..... May 20, 2013
- Contract and Services Begin ..... July 1, 2013

### 2.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix E - Transmittal Form to Request a Solicitation Requirements Review, to the Department conducting the solicitation as described in this section.

A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

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1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document;
  2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a Proposal;
  3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
  4. The request for a Solicitation Requirements Review asserts either that:
    - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
    - b. due to unclear instructions, the process may result in County not receiving the best possible responses from prospective Proposers.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the Proposal due date.

## **2.5 Proposers' Questions**

Proposers may submit written questions regarding this RFP by e-mail to the individual identified below. All questions must be received by 4:30 PM Pacific Daylight Time, November 9, 2012. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to this RFP.

When submitting questions, please specify the RFP section number, Paragraph number, and page number and quote the language that prompted the question. This will ensure that the question can be quickly found in the RFP. County reserves the right to group similar questions when providing answers.

Questions may address concerns that the application of minimum mandatory requirements, evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in County not receiving the best possible responses from Proposer.

Questions should be addressed to:

Carol Domingo, Contract Manager  
Community and Senior Services  
Contracts Management Division  
3175 West 6<sup>th</sup> Street, Room 403  
Los Angeles, CA 90020-1708  
[aaarfp@css.lacounty.gov](mailto:aaarfp@css.lacounty.gov)

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## 2.6 Proposer's Conference

A **Proposer's Conference** will be held to discuss the RFP Requirements. County will respond to questions from potential Proposers. The conference is scheduled as follows:

November 9, 2012  
10:00 AM – 12:00 PM  
3175 West 6<sup>th</sup> Street, Room 105  
Los Angeles, CA 90020-1708

Parking: for your convenience, parking in CSS' parking structure located at 523 Shatto Place will be made available by reservation. Please send an email to CSS at: [aaarfp@css.lacounty.gov](mailto:aaarfp@css.lacounty.gov) by November 2, 2012. Please insert "Parking for Proposer's Conference" in the subject line of the email. Meter Parking is also available on Shatto Place, Vermont Avenue, and Sixth Street (Southwest Corner of 6<sup>th</sup> and Vermont). Proposers are encouraged to bring a copy of the RFP to the Proposer's Conference. No copies will be provided.

## 2.7 Preparation of the Proposal

A complete FCSP Proposal shall include a Business Proposal and Cost Proposal. A Business Proposal includes both required forms and narratives detailing Proposer's qualifications and Program Proposal. A Cost Proposal includes a detailed budget and a budget narrative. The Business and Cost Proposals shall be bound together in one three (3) ring binder and submitted in the prescribed format. An original Business and Cost Proposal and five (5) copies, a total of six (6) binders, shall be submitted as specified in Paragraph 2.11 - Proposal Submission, of this RFP.

Proposers shall submit an FCSP Proposal for each FCSP Program Service Proposer plans to provide. For example, a Proposer proposing to provide both Family Caregiver and also Grandparent/Relative Caregiver Services must submit two (2) separate FCSP Proposals, one (1) FCSP Proposal for Family Caregiver Services and one (1) FCSP Proposal for Grandparent/Relative Services. If Proposer is only providing either Family Caregiver or Grandparent/Relative Caregiver Services, Proposer only needs to submit one (1) FCSP Proposal.

Any Proposal that deviates from the prescribed format may be rejected without review at County's sole discretion.

2.7.1 Proposals must be typed (on 8 ½" by 11" paper), Single spaced between each line, with margins set at 1.0 inch or greater, and a standard twelve (12) point Arial font.

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- 2.7.2 For every response provided by Proposer in both the Business and Cost Proposal, Proposer shall clearly indicate the RFP Section Heading, Section Letter and/or Number (if applicable) (e.g., Proposal's Approach to Provide Required Services, Section C.1). Proposer shall double space in between Proposal response sections.
- 2.7.3 Each section of the Business and Cost Proposals shall be tabbed and clearly identified in the table of contents and shall follow the order specified in Paragraphs 2.9 – Business Proposal Format, and 2.10 – Cost Proposal Format, of this RFP. All attachments must be attached immediately after the section to which Proposer is responding.
- 2.7.4 For the Business Proposal, the limit for all answers combined is a total of twenty (20) single-sided pages. The page limitation does not include exhibits or attachments.
- 2.7.5 For the Cost Proposal, the limit for all answers combined is a total of ten (10) single-sided pages. The page limitation does not include exhibits or attachments.

## **2.8 Business Proposal Format**

The content and sequence of the Proposal must be as follows:

- Proposer's Organization Questionnaire/Affidavit and Required Support Documents for Corporations and Limited Liability Companies
- Table of Contents
- Executive Summary
- Proposer's Qualifications
  - Prospective Contractor References (Appendix D - Exhibit 2)
  - Prospective Contractor List of Contracts (Appendix D - Exhibit 3)
  - Prospective Contractor List of Expired or Terminated Contracts (Appendix D - Exhibit 4)
  - Proposer's Pending Litigation and Judgments
- Proposer's Approach to Provide Required Services
- Proposer's Quality Control Plan
- Proposer's Green Initiatives
- Business Proposal Required Forms

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### 2.8.1 **Proposer's Organization Questionnaire/Affidavit and Required Support Documentation**

Proposer shall complete, sign and date Appendix D (Required Forms) Exhibit 1 - Proposer's Organization Questionnaire/Affidavit.

**The person signing the form must be authorized to sign on behalf of Proposer and to bind the applicant in a Contract.**

Taking into account the structure of Proposer's organization, Proposer shall determine which of the below referenced supporting documents County requires. If Proposer's organization does not fit into one of these categories, upon receipt of the Proposal or at some later time, County may, in its discretion, request additional documentation regarding Proposer's business organization and authority of individuals to sign Contracts.

If the below referenced documents are not available at the time of Proposal submission, Proposers must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

#### **Required Support Documents:**

##### **Corporations or Limited Liability Company (LLC):**

Proposer must submit the following documentation with the Proposal:

- 1) A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
- 2) A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

##### **Limited Partnership:**

Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

### 2.8.2 **Table of Contents**

List all material included in the Proposal. Include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

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### 2.8.3 **Executive Summary**

Provide Proposer's mission statement, give a brief history of the organization, indicate the number of years in operation and indicate Proposer's experience in providing FCSP Services or services equivalent or substantially similar to the Services identified in Appendix B (Statement of Work) Paragraph 3.0 – Specific Tasks. Proposer shall also state the type of organization Proposer is, whether a non-profit, public/government, or for-profit entity.

### 2.8.4 **Proposer's Qualifications**

Demonstrate that Proposer's organization has the experience and financial capability to perform the required Services. The following sections must be included:

#### **A. Proposer's References**

It is Proposer's sole responsibility to ensure that the firm's name and point of contact's name, title, phone number and email address for each reference is accurate. The same references may be listed on both Appendix D (Required Forms) Exhibits 2 – Prospective Contractor References, and Exhibit 3 – Prospective Contractor List of Contracts, as described herein.

County may disqualify a Proposer if:

- references fail to substantiate Proposer's description of the Services provided; or
- references fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or
- the Department is unable to reach the point of contact with reasonable effort. It is Proposer's responsibility to inform the point of contact of normal working hours.

Proposer must complete and include the following Required Forms:

#### **1. Appendix D (Required Forms) Exhibit 2 - Prospective Contractor References**

Proposer must provide a minimum of five (5) references where the same or similar scope of services was provided within the last ten (10) years.

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## **2. Appendix D (Required Forms) Exhibit 3 - Prospective Contractor List of Contracts**

The listing must include all Public Entities contracts for the last five (5) years. Use additional sheets if necessary.

## **3. Appendix D (Required Forms) Exhibit 4 - Prospective Contractor List of Expired or Terminated Contracts**

Proposer must provide a minimum of five (5) references within the last five (5) years of expired or terminated contracts. In the event of termination, Proposer shall identify the reason for termination which may include, but is not limited to: non-compliance, loss of funding, failure to complete a contract, etc. This list shall include any expired or terminated contracts with Los Angeles County.

## **B. Proposer's Pending Litigation and Judgments**

Identify by name, case, and court jurisdiction, any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against Proposer or principals of Proposer. Proposer must provide a statement describing the size and scope of any pending or threatening litigation. If a Proposer has no pending litigation, Proposer must provide a statement to verify that there are no pending litigations in the last five (5) years. The notations "Not Applicable" or "N/A" will not be considered a valid answer-entry.

## **2.8.5 Proposer's Approach to Provide Required Services**

- 2.8.5.1 Qualifications of Proposers Mandatory Personnel:** Proposer shall have, or by Contract award meet, the mandatory staffing requirements listed in Appendix B (Statement of Work) Paragraph 5.0 - Contractor Personnel. Proposer shall describe the experience, training, and education of Proposer's mandatory staff based on the requirements stated in the SOW. Copies of all required certifications/licenses, diplomas, resume and job specifications are to be identified by staff member and included in the Proposal. Proposer shall clearly identify by the staffing titles listed in Paragraph 5.0 - Contractor Personnel in the SOW any mandatory staff position(s) necessary to provide Services identified in this RFP that are currently unfilled in the Proposal. (Proposer's individual staffing titles may vary within its own operations; however, for the purposes of this RFP, all staffing titles must match the staffing titles in Paragraph 5.0 - Contractor Personnel.)



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**2.8.5.2 Proposer's Objectives Compared to RFP Objectives:**

Proposer shall state the Supervisorial District(s) and city(ies) Proposer plans to serve during the term of the Contract. Utilizing the Estimated Units of Service outlined in Paragraph 1.1.6 (FCSP Estimated Annual Funding/Units of Service Chart For FY 2013-2014) of this RFP, Proposer shall describe in detail its plan on how Proposer's Objectives will impact County's overall estimated Units of Service, in what Supervisorial Districts and city(ies), and how Proposer plans to sustain FCSP Services throughout the contract term.

**2.8.5.3 Proposer's Target Population:** Describe Proposer's target population by: income level, ethnic composition, seniors or grandparents who are caregivers, caregivers caring for functionally impaired adults or caregivers caring for functionally impaired children, and, if applicable, Proposer's target population living in rural areas. Describe how Proposer's FCSP Services will address the needs of special populations for: low-income, minority, functionally impaired Care Receivers and those living in rural areas

**2.8.5.4 Primary Services:**

**2.8.5.4.1 Information Services** – Indicate the Information Services category/ies you plan to provide. Describe your approach to provide Public Information and/or Community Education to the caregiver community and how you plan to inform the community of the FCSP Services that are available. Discuss the challenges involved in providing your selected Service category/ies and the manner by which you were able to resolve the challenges. Elaborate on the specific methods you will use to provide the Service/s and how you plan to accurately capture the number of Clients served.

**2.8.5.4.2 Support Services** – Indicate the Support Services category/ies you plan to provide. Explain how you plan to administer the Service/s (including staffing), resources, and means of maintaining confidentiality for the Client (if applicable) you plan to use in executing the Service/s. Since Caregiver Assessment is a mandatory service, provide an example of a plan that shall include back-up provisions.

**2.8.5.4.3 Respite Care Services** – Indicate the Respite Care Services category/ies you plan to provide. Discuss what methods you plan to utilize in encouraging caregivers to use the Service.

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Explain what safety precautions (other than background checks) will be established to ensure quality service that will certify and put at ease any concerns regarding the Care Receiver's safety while receiving the Service.

**2.8.5.4.4 Supplemental Services** – Indicate the Supplemental Services category/ies you plan to provide. Explain how these Services will enhance the support needed for Clients to continue to perform their caregiving duties. What measures will you establish to evaluate the need for these Services to each Client? What methods will you use to verify Services are provided at the lowest cost?

**2.8.5.5 Proposer's Facilities, Equipment, and Material Resources:** Describe the facilities, equipment and material resources (e.g. flyers, sites for Counseling, Support Group, and/or Training sessions, etc.) Proposer intends to utilize in order to provide Program Services. Explain how Proposer's Program operations will ensure Service to the target population.

## **2.8.6 Proposer's Quality Control Plan**

Present a comprehensive Quality Control Plan to be utilized by Proposer as a self-monitoring tool to ensure the required Services are provided as specified in Appendix A (Sample Contract) Exhibit A, Paragraph 10.0 Quality Control Plan, and Appendix B (Statement of Work), and Exhibit S (Performance Requirements Summary Chart).

The following factors may be included in the plan:

- Activities to be monitored to ensure compliance with all Contract requirements;
- Monitoring methods to be used;
- Frequency of monitoring;
- Samples of forms to be used in monitoring;
- Title/level and qualifications of personnel performing monitoring functions; and
- Documentation methods of all monitoring results, including any corrective action taken.

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#### **2.8.7 Proposer's Green Initiatives**

Present a description of proposed plan for complying with the green requirements as described in Appendix A (Sample Contract) Paragraph 20.0 – Green Initiatives, of the SOW. Describe your company's current environmental policies and practices and those proposed to be implemented.

#### **2.8.8 Terms and Conditions in Sample Contract, and Requirements of the Statement of Work (SOW):**

It is the duty of every Proposer to thoroughly review the Sample Contract and Statement of Work to ensure compliance with all terms, conditions and requirements. It is County's expectation that in submitting a Proposal, Proposers will accept, as stated, County's terms and conditions in the Sample Contract and County's requirements in the Statement of Work. The submission of a Proposal shall constitute Proposer's acceptance of all terms and conditions in Appendix A (Sample Contract) Exhibit S -Performance Requirements Summary Chart, and including the standards in Appendix B (Statement of Work). County reserves the right to make changes to the Sample Contract and its appendices and exhibits at its sole discretion; notice of any such changes to the Sample Contract and its appendices and exhibits shall be provided per the method identified in Appendix A (Sample Contract) Paragraph 1.5 - County Rights & Responsibilities, of this RFP, above.

#### **2.8.9 Business Proposal Required Forms**

Proposal shall include all completed, signed (if applicable), and dated forms identified in Appendix D (Required Forms).

Exhibit 5     Certification Of No Conflict of Interest

Exhibit 6     Familiarity With The County Lobbyist Ordinance Certification

Exhibit 7     Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form

Exhibit 8     Proposer's EEO Certification

Exhibit 9     Attestation Of Willingness To Consider GAIN/GROW Participants

Exhibit 10    Contractor Employee Jury Service Program Certification Form and Application for Exception

Exhibit 11    Charitable Contributions Certification

Exhibit 12    Transitional Job Opportunities Preference Application

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Exhibit 13 Certification Of Compliance With The County's Defaulted Property Tax Reduction Program

2.8.9.1 Proposer shall also include the following documents within the Business Proposal (documents shall be current as of the date of the Proposal submission):

- Proposer's Organizational Chart including Program staffing plan
- Proposer's Board of Directors' Roster
- Federal Tax-Exempt Status
- Business License
- By-Laws, City Charter, or Joint Powers Agreement (provide copy)
- Articles of Incorporation (provide copy)
- Insurance: Proposer shall provide proof of its ability to procure and maintain insurance coverage at levels required in the Appendix A (Sample Contract) Paragraph 8.25 - Insurance Coverage.

## **2.9 Cost Proposal Format**

The content and sequence of the Proposal must be as follows:

- Cover Page identifying, at a minimum, this RFP and Proposer's name.
- Proposer shall provide a Proposed Program Services (PPS) Appendix C, Exhibit 1 for Family Caregiver Services and/or Appendix C, Exhibit 3 for Grandparent/Relative Caregiver Services, in the Cost Proposal.
- Proposer shall provide a Budget (Appendix C, Exhibit 2 for Family Caregiver Services and/or Appendix C, Exhibit 4 for Grandparent/Relative Caregiver Services in the Cost Proposal). Identify all personnel staffing titles as listed in Appendix A (Sample Contract) Paragraph 5.0 - Contractor Personnel, of the SOW.
- Budget Narrative as defined in Paragraph 2.9.1, below.

2.9.1 Budget Narrative: Proposer shall submit a separate Budget Narrative for each FCSP Service Proposer plans to provide during the Contract term. The Budget Narrative shall include:

2.9.1.1 Detail each budgeted item listed in Appendix C (Budget Summary) Exhibit 2.

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The Budget Narrative must follow the order listed in the Budget Summary. Proposers submitting a Grandparent/Relative Caregiver Service Proposal must provide a separate narrative for a Grandparent/Relative Caregiver budget. Provide a formula for each line item budgeted including grant, match, non-match and grant related income. Identify all paid personnel, including sub-contractors by name (according to the staffing titles listed in Appendix A (Sample Contract) Paragraph 5.0 Contractor Personnel of the SOW) in the Budget Narrative. Illustrate how all costs were determined and how budgeted items are reasonable and Program related.

## **2.10 Proposal Submission**

The original Proposal and five (5) copies shall be enclosed in a sealed box, plainly marked in the upper left-hand corner with the name and address of Proposer and bear the words:

**"FOR AAA-FCSP-1317"**

The Proposal(s) shall be delivered or mailed to:

Community and Senior Services  
Carol Domingo, Contract Manager  
Contracts Management Division (CMD), AAA Section  
RE: FCSP RFP/RFP Submission  
3175 West 6<sup>th</sup> Street, Room 403  
Los Angeles, CA 90020-1708

**It is the sole responsibility of the submitting Proposer to ensure that its Proposal is received before the submission deadline. Submitting Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any Proposals received after the scheduled closing date and time for receipt of Proposals, as listed in Sub-paragraph 2.3 (RFP Timetable), will not be accepted and returned to the sender unopened. Timely hand-delivered Proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.**

All Proposals shall be firm offers and may not be withdrawn for a period of two hundred and seventy days (270) following the last day to submit Proposals.

## **2.11 Reference Documents**

Proposers are responsible for reviewing the legal and regulatory authority, and policy guidance that is applicable to this RFP. Certain documents will be available for review during CSS business hours prior to the due date of this RFP. Proposers must request an appointment to review these items.

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All appointment requests submitted to CSS must specify which document(s) is (are) referenced; and provide a contact name and phone number so that CSS can contact, arrange and confirm the appointment. The following documents will be available:

- Authorizing statutes including the federal and state regulations (may also be found through the CDA website [www.aging.ca.gov](http://www.aging.ca.gov))
- Applicable Federal Office of Management and Budget (OMB) Administrative Cost Policy Circulars (may also be found at [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars))
- AAA Policy Manuals and Memoranda
- AAA Reporting Requirements and Procedures
- AAA Program Monitoring Tool/AAA Request for Proposals Rating Instrument

All appointments regarding this matter or any matter relating thereto, must be in writing and may be mailed or emailed as follows:

Community & Senior Services  
Carol Domingo, Contract Manager  
Contracts Management Division, AAA Section  
RE: FCSP RFP/Reference Documents  
3175 West 6<sup>th</sup> Street, Room 403  
Los Angeles, CA 90020-1708  
[aaarfp@css.lacounty.gov](mailto:aaarfp@css.lacounty.gov)  
Telephone Number: (213) 639-6339

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### **3.0 SELECTION PROCESS AND EVALUATION CRITERIA**

#### **3.1 Selection Process**

County reserves the sole right to judge the contents of the Proposals submitted pursuant to this RFP and to review, evaluate and select the successful Proposal(s). The selection process will begin with receipt of the Proposal on **December 3, 2012**.

Evaluation of the Proposals will be made by an Evaluation Committee selected by the Department. The Committee will evaluate the Proposals and will use the evaluation approach described herein to select a Proposer.

All Proposals will be evaluated based on the criteria listed below. All Proposals will be scored and ranked in numerical sequence from high to low. County may also, at its option, invite Proposers being evaluated to make a verbal presentation or conduct site visits, if appropriate. Verbal presentations and site visits will be evaluated on Proposer's ability to accurately provide the Services. The Evaluation Committee may utilize the services of appropriate experts to assist in this evaluation.

Proposers who have previously contracted with CSS for the provision of Services that have outstanding audit or monitoring findings must resolve those findings to be eligible for a potential Contract. Resolving findings means CSS accepted Proposer's corrective action plan and/or Proposer has reimbursed CSS for questioned costs. Failure to comply with this provision will be grounds for disqualification.

County also reserves the right to request additional information/documentation it may deem necessary regarding Proposer's submitted Business Proposal and/or Cost Proposal. Proposer shall promptly provide such information/documentation. The information/documentation shall be submitted in writing to the contact listed in Paragraph 1.9 (Contact with County Personnel) and/or County may conduct a site visit to verify the information contained in the Proposal or adequacy of Proposer's Facility(ies).

After a Proposer has been selected, County and Proposer(s) will negotiate a Contract for submission to the Board of Supervisors for its consideration and possible approval. If a satisfactory Contract cannot be negotiated, County may, at its sole discretion, begin contract negotiations with the next qualified Proposer who submitted a Proposal, as determined by County.

The recommendation to award a Contract will not bind the Board of Supervisors to award a Contract to Proposer.

County retains the right to select a Proposal other than the Proposal receiving the highest number of points if County determines, in its sole discretion, another Proposal is the most overall qualified, cost-effective, responsive, responsible and in the best interests of County.

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### **3.2 Adherence to Minimum Requirements (Pass/Fail)**

County shall review Proposer's Organization Questionnaire/Affidavit (Exhibit 1 in Appendix D - Required Forms), and determine if Proposer meets the minimum requirements as outlined in Sub-paragraph 1.4 of this RFP.

Failure of Proposer to comply with the minimum requirements may eliminate its Proposal from any further consideration. County may elect to waive any informality in a Proposal if the sum and substance of the Proposal is present.

### **3.3 Disqualification Review**

A Proposal may be disqualified from consideration because County determined it was non-responsive at any time during the review/evaluation process. If County determines that a Proposal is disqualified due to non-responsiveness, County shall notify Proposer in writing.

Upon receipt of the written determination of non-responsiveness, Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Disqualification Review is a Proposer;
2. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
3. The request for a Disqualification Review asserts that County's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

### **3.4 Proposal Evaluation and Criteria**

Any reviews conducted during the evaluation of the Proposal may result in a reduction in points. The maximum points available for each complete FCSP Proposal (consisting of Business and Cost Proposals) submitted, whether for Family Caregiver Services, or Grandparent/Relative Caregiver Services, is one thousand (1,000) points, in which each complete FCSP Proposal is comprised of six hundred (600) points possible for the Business Proposal, plus four hundred (400) points possible for the Cost Proposal.



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A threshold score of seven hundred (700) points based on the Business and Costs Proposals combined for the specific FCSP Service to which Proposer submits a Proposal is required to be eligible for a Contract for that specific FCSP Service. However, scoring seven hundred (700) points is not a guarantee that a Proposer will be awarded a Contract.

For both the Family Caregiver and Grandparent/Relative Caregiver Service Proposals, evaluation will consist of the following point allowances for each separate FCSP Service Proposal:

**3.4.1 Business Proposal Evaluation (Maximum of 600 points)**

- 3.4.1.1 **Executive Summary (45 points):** Proposer will be evaluated on Proposer's mission statement, number of years in operation, and experience in serving the target population, as well as its experience and capacity as a corporation or other entity to perform the required Services based on the information provided in Paragraph 2.9.3 of this RFP.
- 3.4.1.2 **Proposer's References (75 points):** Proposer will be evaluated on the verification of references as provided in Paragraph 2.9.4.A of this RFP. In addition to the references provided, a review will include County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County contracts, and a review of any terminated contracts, which may result in point deductions.
- 3.4.1.3 **Proposer's Pending Litigation and Judgments (45 points):** A review will be conducted to determine the magnitude of any pending litigation or judgments against Proposer as provided in Paragraph 2.9.4.B of this RFP, which may result in point deductions.
- 3.4.1.4 **Qualifications of Proposer's Mandatory Personnel (60 points):** Proposer will be evaluated on whether Proposer currently has or will have by Contract award, the mandatory staffing required in Appendix B (SOW) Paragraph 5.0 (Contractor Personnel). Proposer will also be evaluated on the proposed staff experience, training, and education pursuant to requirements referenced in Paragraph 2.9.5.1 of this RFP.
- 3.4.1.5 **Proposer's Objectives Compared to RFP Objectives (50 points):** Proposer will be evaluated on Proposer's narrative on how it will meet the Units of Service Requirements based on the estimated funding and Units of Service specified in the Estimated Annual Funding/Units of Service Chart in Paragraph 1.1.6 of this RFP.

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Proposer shall be evaluated on its: 1) description of the proposed area(s) it will serve; 2) how Proposer's objectives will impact County's overall estimated Units of Service; and 3) the plan to sustain Services throughout the contract term in each proposed Supervisorial District and in each city(ies) Proposer plans to serve.

**3.4.1.6 Target Population (60 points):** Proposer will be evaluated on its description of its target population. Services targeting low-income, ethnic minorities, seniors or grandparents who are caregivers, caregivers caring for functionally impaired adults or caregivers caring for functionally impaired children, and eligible Clients residing in rural areas will be scored more favorably.

**3.4.1.7 Primary Services (160 points – 40 points each):**

**3.4.1.7.1 Information Services (40 points)**

Proposer will be evaluated on their approach to provide public information and/or community education to the caregiver community and their ability to inform the community of the FCSP Services that are available, Proposer's ability to resolve challenges in providing Service/s, specific methods used to provide the Service/s, and accurately capture the number of caregiver's served.

**3.4.1.7.2 Support Services (40 points)**

Proposer will be evaluated on their plan to administer the Service/s (including staffing), resources, and the means of confidentiality (if applicable) to use in executing the Service/s. Proposer will also be evaluated on an example of a Caregiver Assessment care plan that shall include back-up provisions this Service.

**3.4.1.7.3 Respite Care Services (40 points)**

Proposer will be evaluated on the methods they will utilize to encourage caregivers to utilize the Service/s. Proposers shall explain what safety precautions (other than background checks) will be established to ensure quality Service and put at ease any concerns regarding the Care Receiver's safety while receiving the care.

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#### 3.4.1.7.4 **Supplemental Services (40 points)**

Proposer will be evaluated on how the Service/s will enhance the support needed for caregivers to continue to perform their caregiving duties, established measures to evaluate the need for the Service/s to each Client, and the methods used to verify Service/s are provided at the lowest cost.

#### 3.4.1.8 **Facilities, Equipment, and Material Resources (15 points):**

Proposer will be evaluated on the description of the facilities, equipment, and material resources (e.g. flyers, sites for Counseling, Support Group, and/or Training sessions, etc.) Proposer intends to utilize to provide Services and how Proposer's Program operations will ensure Services to the target population.

#### 3.4.1.9 **Quality Control Plan (20 points):** Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this Contract are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all Services listed on the Performance Requirement Summary Chart.

#### 3.4.1.10 **Green Initiatives (15 points):** Proposer will be evaluated on Proposer's plan for complying with the green requirements as described in Paragraph 2.9.7.

#### 3.4.1.11 **Business Proposal Required Forms (10 points):** Proposer will be evaluated on their ability to completely fill out the forms as provided in Appendix D (Required Forms), within the Business Proposal.

#### 3.4.1.12 **Proposer's Financial Capability (45 points):** Proposer will be evaluated on Proposer's company's most current and prior two (2) fiscal years (for example 2010 and 2011) audited financial statements and any other significant findings which may impact the financial solvency of Proposer. Statements should include Proposer's assets, liabilities and net worth. Proposer's audited statements will also be used to evaluate Proposer's ability to meet the minimum mandatory requirements in Paragraph 1.4 of this RFP.

### 3.5 **Cost Proposal Evaluation Criteria (400 Points)**

#### 3.5.1 **Unit Cost Effectiveness (140 points):** Proposer will be evaluated on the proposed Unit Rate(s) (as specified in Appendix C, Exhibit 1 and/or Exhibit 3).

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- 3.5.2 **Budget Narrative (140 points):** Proposer will be evaluated on completeness (include both a formula and justification for all budgeted costs).
- 3.5.3 **Costs are reasonable and Program related (75 points):** Proposers' Costs will be evaluated on the reasonableness of budgeted costs and how budgeted costs will contribute to the overall Service plan of Proposer.
- 3.5.4 **Calculations are accurate (45 points):** Proposer will be evaluated on the accuracy of its calculations in the Budget Narrative and the transfer of costs from the Budget Summary to the Budget Narrative.

The maximum number of possible points will be awarded to the most responsive and lowest cost proposal that includes Appendix C, Exhibit 2 (Family Caregiver Services) and/or Exhibit 4 (Grandparent/Relative Caregiver Services), as appropriate, and the Budget Narrative. All other proposals will be compared to the lowest cost proposal, and points awarded accordingly.

However, should one or more of Proposers request and be granted the Local SBE Preference and/or Transitional Job Opportunities Preference, the cost component points will be determined as follows:

**Local SBE Preference:** 8% of the lowest cost proposed will be calculated, which shall not exceed fifty thousand dollars (\$50,000), and that amount will be deducted from the Cost submitted by all Local SBE Proposers who requested and were granted the Local SBE Preference.

**Transitional Job Opportunities Preference:** 5% of the lowest cost proposed will be calculated and that amount will be deducted from the Cost submitted by all Proposers who requested and were granted the Transitional Job Opportunities Preference.

### **3.6 County's Proposed Contractor Selection Review**

#### **3.6.1 County Debriefing Process**

Upon completion of the evaluation, County shall notify the remaining Proposers in writing that County is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in County's sole discretion, be denied if the request is not received within the specified timeframe. The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because contract negotiations are not yet complete, responses from other Proposers shall not be discussed, although County may inform the requesting Proposer of its relative ranking.

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During or following the Debriefing, County will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify County of its intent to request a Proposed Contractor Selection Review (see Paragraph 3.7.2 below), if the requesting Proposer is not satisfied with the results of the Debriefing.

### **3.6.2 Proposed Contractor Selection Review**

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Sub-paragraph may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by County.

A request for a Proposed Contractor Selection Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
2. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by County);
3. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
  - a. County materially failed to follow procedures specified in its solicitation document. This includes:
    - i. Failure to correctly apply the standards for reviewing the Proposal format requirements.
    - ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the Proposals as specified in the solicitation document.
    - iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
  - b. County made identifiable mathematical or other errors in evaluating Proposals, resulting in Proposer receiving an incorrect score and not being selected as the recommended contractor.
  - c. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
  - d. Another basis for review as provided by state or federal law; and

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4. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for County's alleged failure, Proposer would have been the lowest cost, responsive and responsible bid or the highest-scored Proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, County representative shall issue a written decision to Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision shall additionally instruct Proposer of the manner and timeframe for requesting a review by a County Review Panel (see Paragraph 3.8 below).

### **3.7 County Review Panel Process**

Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for review by a County Review Panel in the manner and timeframe specified by County in County's written decision regarding the Proposed Contractor Selection Review. A request for review by a County Review Panel may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting review by a County Review Panel is a Proposer;
2. The request for a review by a County Review Panel is submitted timely (i.e., by the date and time specified by County); and
3. The person or entity requesting review by a County Review Panel has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from County's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Paragraph 3.7.2 above.

Upon completion of County Review Panel's review, the Panel will forward its report to County, which will provide a copy to Proposer.